

1 Stephen A. Watkins
(Cal. Bar. No.205175)
2 watkinss@cmtlaw.com
pro hac vice
3 **CARLSON & MESSER LLP**
9841 Airport Blvd. #1200
4 Los Angeles, CA 90045
Telephone: (310) 242-2200
5 Facsimile: (310) 242-2222

6 **SHANNON G. SPLAINE, ESQ.**
Nevada Bar No. 8241
7 **LINCOLN, GUSTAFSON & CERCOS, LLP**
3960 Howard Hughes Pkwy., Ste. 200
8 Las Vegas, NV 89169
Telephone: (702) 257-1997
9 Facsimile: (702) 257-2203
ssplaine@lgclawoffice.com

10 Attorneys for Defendants *Aargon*
11 *Agency, Inc. incorrectly named as*
12 *Aargon Collection Agency) and*
Armand Fried

13 **UNITED STATES DISTRICT COURT**
14 **DISTRICT OF NEVADA**

15 EUGENE GOLDSMITH *et al.*,

16 Plaintiff(s),

17 vs.

18 AARGON COLLECTION AGENCY *et al.*,

19 Defendants.
20
21

Case No. 16-cv-02066-GMN-NJK

**Joint Stipulation and Order to Extend
Deadlines**

22 Plaintiffs Eugene Goldsmith *et al.* (“Plaintiffs”) and Defendant Aargon Agency, Inc.
23 (incorrectly named as Aargon Collection Agency) and Armand Fried (“Defendants” and together
24 with Plaintiffs, the “Parties”) by and through their counsel of record hereby stipulate to modify
25 the Court’s May 15, 2017 Order, ECF No. 76, to extend the remaining dates in this matter on the
26 20 consolidated suits at issue, for 90 days for good cause.

27 Pursuant to LR 26-4, good cause exists to amend the Scheduling Order.
28

1 As this Court is aware, this action involves 20 consolidated lawsuits. The discovery
2 involving the lawsuits and the records pertaining thereto are extensive. Defendant has had to
3 dedicate a full-time employee to work on the plethora of issues and production of document
4 matters involved in the 20 Consolidated cases at issue, and to assist Counsel for Defendants.

5 With regard to the production of documents, Defendant had to produce documents
6 pertaining to 20 separate lawsuits involving thousands of pages of documents that involve
7 transactions spanning over a five-year period of time. In addition, in order to develop the factual
8 record, the parties have to review thousands of records involving Court records in over 20 cases.

9 On October 20, 2017, Plaintiffs' counsel, Vernon Nelson, suffered a severe automobile
10 accident wherein all of his airbags deployed. As a result, he has had to take much time off from
11 regular work and the press of business due to suffering from concussion syndrome, involving
12 dizziness, nausea and vertigo. Counsel of defendant, of course, has accommodated counsel for
13 plaintiff with regard to various case matters due to his health concerns, as has been requested and
14 needed.

15 From early September 2017 through late October 2017, general counsel for Defendant
16 who oversees this litigation on behalf of Aargon was distracted and absent from work for due to
17 the impact of Hurricane Irma and its effect on Defense counsel's elderly mother and multiple
18 family members who reside in Southern Florida. These family members were adversely affected
19 and displaced by Hurricane Irma. Defense counsel's elderly mother had been without power for
20 extended periods of time and had to be relocated. During the month of September and to the
21 present, Defense counsel has spent countless hours arranging for his family's and mother's
22 evacuation ahead of the hurricane and in dealing with contractors to protect property in securing
23 property, , and counsel has traveled to and from Miami, in order to assist with these matters. In
24 the aftermath of Hurricane Irma, counsel has had to assist with relocating family members,
25 scheduling medical appointments, handling lack of power issues, property damage, and the
26 hiring and working with numerous contractors. The amount of time dedicated to tending to these
27 personal, unforeseen events has impacted defense counsel's ability to tend to critical matters
28

pertaining to this case. . Like Counsel for Defendant, Plaintiffs' counsel has accommodated counsel for Defendant with regard to various case matters, as is requested and needed.

Moreover, this consolidated action is comprised of 20 different underlying actions. Counsel for the parties have met and conferred in person and over the past few months regarding the claims of these Plaintiffs, hoping to narrow the issues prior to the taking of depositions and prior to engaging in additional discovery.

This request for extension of deadlines is made specifically in this fee-shifting matter since the taking of depositions are a significant expense. The discovery extension is also requested to resolve multiple outstanding discovery disputes and to determine the availability of Defendant's 30(b)(6) witnesses and the 20 Plaintiffs for deposition. The 30(b)(6) deposition of Defendant Aargon and the deposition of Defendant have been tentatively scheduled for late December.

In addition, Defendant is working with Plaintiff's counsel to schedule the depositions of 20 Plaintiffs and various additional percipient witnesses, involving potentially the deposition of another 10-12 witnesses or more.

For these reasons, the Parties jointly request that this Court modify the May 15, 2017 Order to provide an additional 90 days to complete discovery, and then in the ordinary course, to file dispositive motions, and the proposed joint pretrial order as described in the proposed timeline above.

	Current Deadline	Proposed Deadline
Deadline to file motion to amend pleadings and add parties	October 31, 2017	January 31, 2018
Disclosure of experts and expert reports	November 30, 2017	February 28, 2018
Interim Status Report	November 30, 2017	January 29, 2018
The disclosure of rebuttal experts and their reports	January 9, 2018	April 12, 2017
Discovery Cut-Off	January 31, 2018	April 30, 2018
Dispositive Motions	February 28, 2018	May 30, 2018
	March 15, 2018	May 14, 2018

	Current Deadline	Proposed Deadline
deadline for the parties to file any motions for consolidation or bifurcation of trial shall		
Joint pretrial Order	March 30, 2018	June 30, 2018

This is the Parties' first request for an extension of these deadlines.

DATED this 29th day of November, 2017

THE LAW OFFICE OF VERNON NELSON CARLSON & MESSER LLP

/s/ Vernon Nelson

By: VERNON NELSON, ESQ.

Nevada Bar No.: 6434

9480 S. Eastern Avenue, Suite 244

Las Vegas, NV 89123

Tel: 702-476-2500

Fax: 702-476-2788

E-Mail: vnelson@nelsonlawfirmnv.com

Attorney for Plaintiff Eugene Goldsmith et al.

/s/ Stephen A. Watkins

By: Stephen A. Watkins, Esq.

Cal. Bar. No. 205175

(pro hac vice)

9841 Airport Blvd., 1200

Los Angeles, CA 90045

Tel: (310) 242-2200

Fax: (310) 242-2222

Email: watkinss@cmtlaw.com

LINCOLN GUSTAFSON & CERCOS,
LLP

/s/ Shannon G. Splaine

By: SHANNON G. SPLAINE, ESQ.

Nevada Bar No. 8241

3960 H. Hughes Pkwy, Suite 200

Las Vegas NV 89169

Tel: 702-225-1997

Fax: 702.257-2203

Email: ssplaine@lgclawoffice.com

*Attorneys for Defendants, Aargon
Agency, Inc.(incorrectly named as
Aargon Collection Agency); Armand
Fried*

IT IS SO ORDERED.

Dated November 30, 2017.


UNITED STATES MAGISTRATE JUDGE